

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREQUENCY, LLC (f/k/a GOODRADIO.TX, LLC), INC.

No. 07-CIV-7785 (PKC)

Plaintiff,

v.

CLEAR CHANNEL BROADCASTING, INC.,

Defendant.

**DECLARATION OF MELANIE G. COWART IN SUPPORT OF
DEFENDANT'S REPLY MEMORANDUM OF LAW IN SUPPORT OF
DEFENDANT'S MOTION TO DISMISS OR STAY**

I, Melanie G. Cowart, declare and state as follows:

1. My name is Melanie G. Cowart, I am over the age of 21. I have never been arrested for or convicted of any crime, and I have personal knowledge of the facts contained herein, which are true and correct.

2. I am licensed to practice law in the state of Texas, and I am a senior counsel with the law firm of Akin Gump Strauss Hauer & Feld, LLP ("Akin Gump"). Akin Gump represents Defendant Clear Channel Broadcasting, Inc. ("Clear Channel"), in the above-captioned lawsuit.

3. Attached hereto as Exhibit 1 is a true and correct copy of Defendants' Motion for Protective Order and Brief in Support filed by Defendants Frequency, LLC (f/k/a GoodRadio.TV, LLC), Frequency License, LLC, American Securities Capital Partners, LLC and Jeffrey D. Warshaw (collectively, "Defendants") in Bexar County, Texas, captioned *Clear Channel Broadcasting, Inc., et al. v. Frequency, LLC, et al.*, Case No. 2007-CI-12493.

4. Attached hereto as Exhibit 2 is a true and correct copy of Defendants' Special Appearance and, Subject Thereto, Special Exceptions and Original Answer filed by Defendants in Bexar County, Texas, captioned *Clear Channel Broadcasting, Inc., et al. v. Frequency, LLC, et al.*, Case No. 2007-CI-12493.

5. I declare under penalty of perjury that the foregoing is true and correct.

Executed in San Antonio, Texas on this 23rd day of October 2007.


MELANIE G. COWART